

**Comments in Response to Localism Notice of Proposed Rulemaking
MB Docket No. 04-233**

I submit the following comments in response to the Localism Notice of Proposed Rulemaking (the "NPRM"), released Jan. 24, 2008, in MB Docket No. 04-233.

First I want to emphasise that K-LOVE's programming is very important in my family's life and in my life. With all of the uncertainty, stress, and violence in the United States and abroad, it is so important to have an open, encouraging, Christian radio station to remind us of our values and put our life back into a loving, positive perspective. I know people who have felt that all was lost in their lives, but KLOVE helped them get back on-track.

Please do not take the first steps toward taking away our freedom of speech, freedom of the press, or freedom of religion by implementing rules that force self-supporting Christian radio stations to close.

Any new FCC rules, policies or procedures must not violate First Amendment rights. A number of proposals discussed in the NPRM, if enacted, would do so – and must not be adopted.

(1) The FCC must not force radio stations, especially religious broadcasters, to take advice from people who do not share their values. The NPRM's proposed advisory board proposals would impose such unconstitutional mandates. Religious broadcasters who resist advice from those who don't share their values could face increased harassment, complaints and even loss of license for choosing to follow their own consciences, rather than allowing incompatible viewpoints to shape their programming. The First Amendment prohibits government, including the FCC, from dictating what viewpoints a broadcaster, particularly a religious broadcaster, must present.

(2) The FCC must not turn every radio station into a public forum where anyone and everyone has rights to air time. Proposed public access requirements would do so – even if a religious broadcaster conscientiously objects to the message. The First Amendment forbids imposition of message delivery mandates on any religion.

(3) The FCC must not force revelation of specific editorial decision-making information. The choice of programming, especially religious programming, is not properly dictated by any government agency – and proposals to force reporting on such things as who produced what programs would intrude on constitutionally-protected editorial choices.

(4) The FCC must not establish a two-tiered renewal system in which certain licensees would be automatically barred from routine renewal application processing. The proposed mandatory special renewal review of certain classes of applicants by the Commissioners themselves would amount to coercion of religious broadcasters. Those who stay true to their consciences and present only the messages they correspond to their beliefs could face long, expensive and potentially ruinous renewal proceedings.

(5) Many Christian broadcasters operate on tight budgets, as do many smaller market secular stations. Keeping the electricity flowing is often a challenge. Yet, the Commission proposes to further squeeze niche and smaller market broadcasters, by substantially raising costs in two ways: (a) by requiring staff presence whenever a station is on the air and, (b) by further restricting main studio location choices. Raising costs with these proposals would force service cutbacks – and curtailed service is contrary to the public interest.

(6) THE FCC must not give priority to new Low Power FM Stations. This would disable many existing translators from carrying their current programming. The insurmountable expense to replace these would put many stations out-of-business. Should the priority be given, government money should be spend to assit these radio station from going out-of-business due to a forced government mandated expense.

We urge the FCC not to adopt rules, procedures or policies discussed above.

Lorraine Haller Gates
PO Box 462
Butte, MT 59703

DATE: April 15, 2008
Phone: 406-494-1271